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April 4, 2008

VIA FAX-212-805-7933

Magistrate Judge Andrew J. Peck  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

Re: O'Grady v. Butler, et al  
 Case No: 07 Civ. 8207  
 Our File No: 07-5288

Dear Magistrate Peck:

This office represents defendants Pamela Butler and Tiffany Butler. A status conference is scheduled April 16, 2008.

It was anticipated that the depositions of the defendants would be able to be completed by that date. We have since learned that the defendant driver, Tiffany Butler, is a student at the University of Vermont. The spring term is in the process of being completed and final exams will be held in the next several weeks. We have been advised that Tiffany Butler will be home by the middle of May.

We have scheduled the deposition of defendant Pamela Butler for next Thursday, April 10. It is requested that we be given an extension of time to produce Tiffany Butler for a deposition so that she can complete the semester at the University of Vermont. We request that the time to complete her deposition be extended until May 30.

Very truly yours,

MARTIN, FALLON & MULLE  
  
 BY: Richard C. Mullé (2151)  
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RCM:vc  
 CC: Jaroslawicz & Jaros, LLC (via fax-212-227-5090)  
 Marjorie E. Bomes, Esq. (via fax-212-875-8210)

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

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Dated: April 7, 2008

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## **TRANSCRIPTION:**

**MEMO ENDORSED 4/7/08**

**Request is DENIED. Bring her to NYC for her deposition or pay plaintiff's counsel's expenses to depose her in Vermont.**